

REMARKS

Claims 5-9 are pending in the application. Applicants respectfully request reconsideration in view of the following remarks.

Claims 5-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Aoyagi et al. (U.S. 5,982,999) ("Aoyagi") and Suzuki et al. (U.S. 6,041,265) ("Suzuki"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 5-9 require a memory device to memorize the relevant information paired with the identification information, inputted by the operating device. The identification information is information regarding a customer and the relevant information includes at least one of color, hue, chroma, brightness, sharpness, and hardness, as preference of the customer about finishing of a color image print from the memory device. The controller then obtains the relevant information from the memory device, by using the identification information received by the order receiving device. None of the references teach or suggest those limitations.

The Examiner asserts that Aoyagi teaches "a memory device (102 in fig. 18) to memorize the relevant information paired with the identification information, inputted by the operating device (206, fig. 18)." However, the Examiner also recognizes that Aoyagi does not teach the relevant information paired with the identification information of a customer that are inputted by the operating device and memorized in the memory.

The Examiner asserts that Suzuki teaches a memory device (RAM in fig. 9) to memorize the relevant information (col. 4, lines 38-50: the relevant information includes the setting color and the hue) paired with the identification information of a customer (col. 5, lines 10-17), inputted by the operating device (fig. 5) (col. 5, lines 26-27). Applicants respectfully traverse.

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Suzuki does not teach that the relevant information is paired with the identification information of a customer. Rather, Suzuki teaches four color-balances settings can be stored and the setting is stored by naming the setting a specific title, which consists of up to five characters. The title is not the equivalent to the identification information of the customers. Instead, Suzuki makes the prints by the previously stored color-balances; however, the various color-balances are not paired with the identification information of the customers.

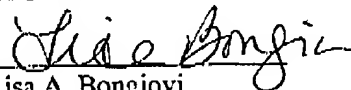
According to the present invention, the relevant information paired with the identification information of the customers can be previously stored in the memory device, and thereby, when the print is ordered by the customer, it is possible to read out the relevant information of that customer from the memory device and to produce the prints which includes the preference of that customer. Aoyagi and Suzuki do not teach or suggest those limitations. Applicants respectfully request that the Examiner withdraw the rejections as to claims 5-9.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: 
Lisa A. Bongiovi
Registration No. 48,933
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 23413

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